

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE :
LICENSE OF :
:
JOSHUA COTTMAN, L.P.N. :
License # NP 06487400 :
:
TO PRACTICE NURSING IN THE :
STATE OF NEW JERSEY :

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about December 2, 2014, a letter of inquiry was sent to respondent on behalf of the Board, asking for his response to allegations that he diverted Klonopin while employed as a nurse at Holcomb Behavioral Health Center in Oaklyn, New Jersey, and also asking for documentation, in the form of certificates of completion, of continuing education credits earned during the licensing cycle of June 1, 2012-May 31, 2014.

3. Respondent indicated that a reply would be forthcoming from his attorney. However, no response has been received to date.

4. Holcomb Behavioral Health Systems alleged that there were discrepancies in the medical records of administration of controlled substances to several patients.

4. Respondent indicated on his 2014 renewal application that he would have completed all required continuing education for the 2012-2014 licensing cycle by May 31, 2014

CONCLUSIONS OF LAW

1. Respondent's failure to respond to a Board inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

2. Respondent's failure to demonstrate timely completion of nursing continuing education requirements for the 2012-2014 licensing cycle is deemed to constitute a violation of N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

3. Respondent's indication on his 2014 renewal application that he would complete all required continuing education for the 2012-2014 licensing cycle by May 31, 2014 is deemed to constitute misrepresentation in violation of N.J.S.A. 45:1-21(b).

4. The allegations on the part of Holcomb Behavioral Health Systems as to the discrepancies relating to the administration and documentation of controlled substances on the part of Mr. Cottman are a sufficient basis to require evaluation and

monitoring of respondent pursuant to N.J.S.A. 45:1-22(f), to verify whether respondent's continued practice represents a risk to the public.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on February 12, 2015, provisionally suspending respondent's nursing license, and imposing a reprimand and a total of \$750 in civil penalties. A copy of the Order was served upon the respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

The record reflects that the certified mailing of the Provisional Order was signed for. The regular mailing was not returned. No response has been received to date. The Board considered this matter, and determined that service had been effected, as the mailings had been sent to respondent's address of record with the Board. The Board further determined that as no discrepancies had been raised with respect to the findings and conclusion of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 6th day of April, 2015,

ORDERED that:

1. Respondent's nursing license is hereby suspended until he has fully responded to the Board's inquiry, and until he can demonstrate, by means of providing

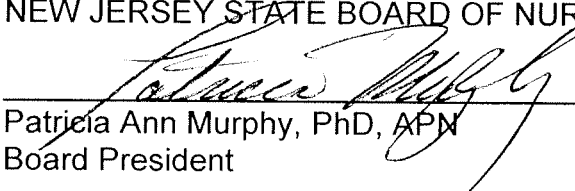
certificates of completion, that he has satisfied the requirement of 30 contact hours of nursing continuing education to be attributed to the 2012-2014 licensing cycle, Moreover, respondent's nursing license shall not be reinstated until he has demonstrated that he is fit and competent to practice nursing by undergoing evaluation and monitoring under the auspices of the Recovery and Monitoring Program of New Jersey (RAMP).

2. A reprimand is hereby imposed for respondent's violation of N.J.S.A. 45:1-21(b).

3. A \$500 civil penalty is hereby imposed for the violation of N.J.A.C. 13:45C-1.2, -1.3, and a \$250.00 civil penalty is hereby imposed for the violation of N.J.A.C. 13:37-5.3, for a total penalty amount of \$750.00. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, which shall be due within 21 days following the filing of a Final Order of Discipline in this matter. Payment shall be sent to the attention of George Hebert, Executive Director, Board of Nursing, P.O. Box 45010, 124 Halsey Street, 6th Floor, Newark, NJ 07101.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, PhD, APN
Board President